II. LISTING OF THE CLAIMS:

The following listing of claims is a courtesy copy, as no claims have been amended by this response.

1.   (Previously amended) A method of increasing transmission control protocol (TCP) re-transmission process speed, the method comprising the steps of:

generating a first duplicate TCP acknowledgement (Ack) covering a received TCP segment that is determined to be valid by TCP and was dropped by TCP based on an upper layer protocol (ULP) decision; and

transmitting the first duplicate TCP Ack.

2.   (Original)   The method of claim 1, wherein the ULP includes at least one of: a marker with protocol data unit alignment (MPA) protocol, a direct data placement (DDP) protocol, and a remote direct memory access (RDMA) protocol.

3.   (Original)   The method of claim 1, wherein the first duplicate TCP Ack is generated for a TCP segment regardless of whether the TCP segment is in-order or out-of-order.

4.   (Original)   The method of claim 1, wherein the first duplicate TCP Ack is generated even where a next in-order TCP segment has not been received.

5.   (Original)   The method of claim 1, further comprising the step of generating a second duplicate TCP acknowledgement (Ack) covering a next out-of-order received TCP

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segment.

6.   (Original)   The method of claim 5, further comprising the step of transmitting the

second duplicate TCP Ack.

7.   (Previously amended) A system for increasing transmission control protocol (TCP) re-

transmission process speed, the system comprising:

        a TCP acknowledgement (Ack) generator to generate a first duplicate TCP Ack

covering a received TCP segment that is determined to be valid by TCP and was dropped

by TCP based on an upper layer protocol (ULP) decision.

8.   (Original)   The system of claim 7, further comprising means for transmitting the first

duplicate TCP Ack.

9.   (Original)   The system of claim 7, wherein the ULP includes at least one of: a marker

with protocol data unit alignment (MPA) protocol, a direct data placement (DDP)

protocol, and a remote direct memory access (RDMA) protocol.

10.   (Original)   The system of claim 7, wherein the generator generates the first duplicate

TCP Ack for a TCP segment regardless of whether the TCP segment is in-order or out-

of-order.

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11. (Original)   The system of claim 7, wherein the generator generates the first duplicate TCP Ack even where a next in-order TCP segment has not been received.

12. (Original)   The system of claim 7, further comprising a TCP Ack generator for generating a second duplicate TCP acknowledgement (Ack) covering a next out-of-order received TCP segment.

13. (Original)   The system of claim 12, further comprising means for transmitting the second duplicate TCP Ack.

14. (Previously amended) A computer program product comprising a computer useable medium having computer readable program code embodied therein for increasing transmission control protocol (TCP) re-transmission process speed, the program product comprising:

    program code configured to generate a first duplicate TCP acknowledgement (Ack) covering a received TCP segment that is determined to be valid by TCP and was dropped by TCP based on an upper layer protocol (ULP) decision.

15. (Original)   The program product of claim 14, further comprising program code configured to transmit the first duplicate TCP Ack.

16. (Original)   The program product of claim 14, wherein the ULP includes at least one of: a marker with protocol data unit alignment (MPA) protocol, a direct data placement

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(DDP) protocol, and a remote direct memory access (RDMA) protocol.

17.   (Original)   The program product of claim 14, wherein the generating program code generates the first duplicate TCP Ack for a TCP segment regardless of whether the TCP segment is in-order or out-of-order.

18.   (Original)   The program product of claim 14, wherein the generating program code generates the first duplicate TCP Ack even where a next in-order TCP segment has not been received.

19.   (Original)   The program product of claim 14, further comprising program code configured to generate a second duplicate TCP acknowledgement (Ack) covering a next out-of-order received TCP segment.

20.   (Original)   The program product of claim 19, further comprising program code configured to transmit the second duplicate TCP Ack.